

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JAWAD A. SHAH, MD, PC, ALLIANCE
ANESTHESIA, LLC, INSIGHT
ANESTHESIA, PLLC, SOUTHEAST
MICHIGAN SURGICAL HOSPITAL, LLC,
d/b/a MICHIGAN SURGICAL HOSPITAL,
d/b/a INSIGHT SURGICAL HOSPITAL (As
Assignees of JONATHAN SPRINGBORN),

Case No. 23:cv-10281

Hon.

Plaintiffs,

v

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

Adam P. Ponto (P74332)
ELIA & PONTO, PLLC
Attorneys for Plaintiffs
25800 Northwestern Highway, Ste. 850
Southfield, MI 48075
(248) 595-8579
aponto@eliaandponto.com

John P. Lewis (P49360)
Rochelle R. Konja (P85455)
GROVER LEWIS JOHNSON
Attorneys for Defendant State Farm
3514 Rivertown Point Court
Grandville, MI 49418
(616) 257-3900 / Fax: (616) 257-8555
rkonja@groverlewisjohnson.com
dhipp@groverlewisjohnson.com

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Defendant, State Farm Mutual Automobile Insurance Company, by and through its counsel, hereby removes the matter entitled *Jawad Shad, M.D, P.C.; Alliance Anesthesia LLC; Insight Anesthesia PLLC; Southeast Michigan Surgical Hospital, LLC, d/b/a Michigan Surgical Hospital, d/b/a Insight Surgical Hospital (As assignee of Jonathan Springborn) v State Farm Mutual Automobile Insurance Company*, Case No. 22-015378-NF, currently pending in Wayne County Circuit Court, to the United States District

Court for the Eastern District of Michigan, Southern Division. The bases for the removal are set forth below:

STATEMENT OF GROUNDS FOR REMOVAL

1. On or about December 29, 2022, an action was commenced in the Circuit Court for the County of Wayne, bearing Case No. 22-015378-NF. Defendant was served on January 7, 2023. A copy of the Summons and Complaint which constitute all process and pleadings received by Plaintiffs in this action and of which Defendant has notice, are attached as composite Exhibit A.

2. This Notice of Removal is being filed within 30 days after receiving notice of the complaint by service or otherwise as required by 28 USC § 1446(b).

3. This Court has jurisdiction over this case pursuant to 28 USC § 1332 because Plaintiffs are Michigan corporations and Defendant is an Illinois corporation, and the amount in dispute exceeds \$75,000.

FEDERAL DIVERSITY

4. As alleged in the complaint, Plaintiffs are Michigan corporations and Defendant, State Farm Mutual Automobile Insurance Company, is an Illinois corporation with a principal place of business in Bloomington, Illinois. As stated in the Relief Requested, the amount in dispute, exclusive of costs and interest, is \$290,129.27. Thus, this Court has jurisdiction pursuant to 28 USC §1332.

SUPPLEMENTAL JURISDICTION

5. The United States District Court has supplemental jurisdiction over Plaintiffs' remaining claims for benefits under the Michigan No-Fault Act, Mich Comp. Laws § 500.3101, et seq., because Plaintiffs' claims for No-Fault benefits are so related that they form part of the same case or controversy. 28 USC § 1367(a).

AMOUNT IN CONTROVERSY

6. The amount in controversy requirement is also clearly satisfied. Plaintiffs state in its Complaint that the amount in controversy is \$290,129.27. Plaintiffs are making a claim for Michigan No-Fault benefits, attorney fees, and interest. (Exhibit A, Plaintiffs' Complaint, Relief Requested).

THE OTHER REMOVAL PREREQUISITES HAVE BEEN SATISFIED

7. Defendant has not previously sought similar relief with respect to this matter.

8. The prerequisites for removal under 28 USC § 1441 have been met.

9. Written notice of the filing of this Notice of Removal will be given to the adverse parties as required by law.

10. The allegations of this notice are true and correct and this cause is within the jurisdiction of the United States District Court for Eastern District of Michigan, Southern Division.

Defendant files this notice and removes this civil action to the United States District Court for the Eastern District of Michigan, Southern, Division. Plaintiffs are notified to proceed no further in state court unless or until the case should be remanded by order of said United States District Court.

GROVER LEWIS JOHNSON

Attorneys for Defendant State Farm

Dated: February 1, 2023

By: /s/ John P. Lewis
John P. Lewis (P49360)

BUSINESS ADDRESS & TELEPHONE NO.:
3514 Rivertown Point Court, Suite B
Grandville, MI 49418
(616) 257-3900

Grover
Lewis
Johnson